COMMONWEALTH OF MASSACHUSETTS State Building Code (780 CMR) Appeals Board Board's Ruling on Appeal¹

Docket No. 08-634

Appellant(s): Robert Barbarisi, Jr.

vs. Appellee(s):

Town of Bourne

Roger Laporte

Procedural History

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant him a variance from 780 CMR 924 fire pump driveline requirements, for the Town of Borne ISWM Facility located at 201 MacArthur Blvd. Bourne, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 et. seq.; and 780 CMR 122.3.4, the Board convened a public hearing on September 23, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared for the hearing pro se. Anthony Caputo, P.E. consulting engineer was present as well

Discussion

A motion was made to grant the Appellant's request for a variance from 780 CMR 924 to allow alternate methods of compliance to fire pump driveline requirements as established by 780 CMR 109.3. There was a second on the motion and a board vote was taken, which was unanimous. The reasons for allowing alternate compliance are as follows:

- The pump manufacturer's torsional vibration analysis of the fire pump driveline and resultant installation of the *Ringfeder Corporation U-Joint Flywheel Coupling* seems to have corrected deficiencies that had caused failures of the driveline.
- The successful weekly testing of the fire pump since June 25, 2007 and the successful 150% pump flow capacity indicate that the pump is operating properly.¹

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

²In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.